

TITLE 10A – DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice is hereby given in accordance with G.S. 150B-21.2 that the Commission for MH/DD/SAS intends to adopt the rules cited as 10A NCAC 27G .4401-.4403, .4501-.4503

Proposed Effective Date: April 1, 2006

Instructions on How to Demand a Public Hearing: *(must be requested in writing within 15 days of notice): A person may demand a public hearing on the proposed rules by submitting a request in writing to Cindy Kornegay, 3018 Mail Service Center, Raleigh, NC 27699-3018, by November 30, 2005.*

Reason for Proposed Action:

21 NCAC 27G .4401-.4403 – *The proposed adoptions are necessary to establish a new facility licensure category for Substance Abuse Intensive Outpatient Program (SAIOP). The Division of MH/DD/SAS implemented SAIOP as a new service in July 2001 and a waiver request was approved by the Division of Facility Services to provide a temporary means of licensing these programs. SAIOP is currently licensed through a waiver under the .3700 Day Treatment Facilities for Individuals with Substance Abuse Disorders Rule. SAIOP is a service that provides structured individual and group addiction treatment and services that are provided in an outpatient setting designed to assist adults or adolescents with a principle substance-related diagnosis to begin recovery and learn skills for recovery maintenance.*

21 NCAC 27G .4501-.4503 – *The proposed adoption is necessary to establish a new facility licensure category for Substance Abuse Comprehensive Outpatient Treatment Program (SACOT). SACOT is a new service with a proposed implementation date of April 1, 2006. SACOT is a service that provides structure and support to achieve and sustain recovery in an outpatient setting to adults with a principal substance related diagnosis (also include homogeneous groups such as individuals with co-occurring disorders or pregnant women.)*

Procedure by which a person can object to the agency on a proposed rule: *The objection, reasons for the objection and the clearly identified portion of the rule to which the objection pertains, may be submitted in writing to Cindy Kornegay, 3018 Mail Service Center, Raleigh, NC 27699-3018.*

Comments may be submitted to: *Cindy Kornegay, 3018 Mail Service Center, Raleigh, NC 27699-3018, phone (919)715-2780 or email cindy.kornegay@ncmail.net.*

Comment period ends: January 17, 2006

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-733-2721.

Fiscal Impact

- ☒ **State** – 10A NCAC 27G .4401-.4403, .4501-.4503
- ☒ **Local** – 10A NCAC 27G .4401-.4403, .4501-.4503
- ☒ **Substantive** (>\$3,000,000) - 10A NCAC 27G .4501-.4503
- ☐ **None**

CHAPTER 27 – MENTAL HEALTH: COMMUNITY FACILITIES AND SERVICES

SUBCHAPTER 27G - RULES FOR MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND SUBSTANCE ABUSE FACILITIES AND SERVICES

SECTION .4400 – SUBSTANCE ABUSE INTENSIVE OUTPATIENT PROGRAM

10A NCAC 27G .4401 SCOPE

(a) A substance abuse intensive outpatient program (SAIOP) is one that provides structured individual and group addiction treatment and services that are provided in an outpatient setting designed to assist adults or adolescents with a principle substance-related diagnosis to begin recovery and learn skills for recovery maintenance.

(b) Treatment support activities may be adapted or specifically designed for persons with physical disabilities, co-occurring disorders including mental illness or developmental disabilities, pregnant women, chronic relapse and other homogenous groups.

(c) Each SAIOP shall have a structured program, which includes the following services:

- (1) individual counseling;
- (2) group counseling;
- (3) family counseling;
- (4) strategies for relapse prevention, which incorporate community and social supports;

- (5) life skills;
- (6) crisis contingency planning;
- (7) disease management;
- (8) service coordination activities; and
- (9) biochemical assays to identify recent drug use (e.g. urine drug screens).

Authority G.S. 122C-26; 143B-147.

10A NCAC 27G .4402 STAFF

- (a) Each SAIOP shall be under the direction of a Certified Clinical Addictions Specialist or a Certified Clinical Supervisor who is on site a minimum of 50% of the hours the program is in operation.
- (b) When a SAIOP serves adult clients there shall be at least one direct care staff who meets the requirements of a Qualified Professional as set forth in 10A NCAC 27G .0104(18) for every 12 or fewer adult clients.
- (c) When a SAIOP serves adolescent clients there shall be at least one direct care staff who meets the requirements of a Qualified Professional as set forth in 10A NCAC 27G .0104(18) for every six or fewer adolescent clients.
- (d) Each SAIOP shall have at least one direct care staff present in the program who is trained in the following areas:
 - (1) alcohol and other drug withdrawal symptoms; and
 - (2) symptoms of secondary complications due to alcoholism and drug addiction.
- (e) Each direct care staff shall receive continuing education that includes the following:
 - (1) understanding of the nature of addiction;
 - (2) the withdrawal syndrome;
 - (3) group therapy;
 - (4) family therapy;
 - (5) relapse prevention; and
 - (6) other treatment methodologies.
- (f) When a SAIOP serves adolescent clients each direct care staff shall receive training that includes the following:
 - (1) adolescent development; and
 - (2) therapeutic techniques for adolescents.

Authority G.S. 122C-26; 143B-147.

10A NCAC 27G .4403 OPERATIONS

- (a) A SAIOP shall operate in a setting separate from the client's residence.
- (b) Each SAIOP shall operate at least three hours per day, at least three days per week with a maximum of two days between offered services.
- (c) A SAIOP should provide services a maximum of 19 hours for each client.
- (d) Each SAIOP shall provide services a minimum of nine hours per week for each client.
- (e) Group counseling shall be provided each day program services are offered.
- (f) Crisis services shall be available by telephone 24 hours a day, seven days a week when the treatment program is not in session.
- (g) Before discharge, the program shall complete a discharge plan and refer each client who has completed services to the level of treatment or rehabilitation as specified in the treatment plan.

Authority G.S. 122C-26; 143B-147.

SECTION .4500 – SUBSTANCE ABUSE COMPREHENSIVE OUTPATIENT TREATMENT PROGRAM

10A NCAC 27G .4501 SCOPE

- (a) A substance abuse comprehensive outpatient treatment program (SACOT) is one that provides a multi-faceted approach to treatment for adults with a principle substance-related diagnosis who require structure and support to achieve and sustain recovery.
- (b) Treatment support activities may be adapted or specifically designed for persons with physical disabilities, co-occurring disorders including mental illness or developmental disabilities, pregnant women, chronic relapse, and other homogenous groups
- (c) SACOT shall have a structured program, which includes the following services:
 - (1) individual counseling;
 - (2) group counseling;
 - (3) family counseling;
 - (4) strategies for relapse prevention to include community; and social support systems in treatment;
 - (5) life skills;
 - (6) crisis contingency planning;
 - (7) disease management;
 - (8) service coordination activities; and
 - (9) biochemical assays to identify recent drug use (e.g. urine drug screens).
- (d) The treatment activities specified in Paragraph (c) of this Rule shall emphasize with the following:
 - (1) reduction in use and abuse of substances or continued abstinence;
 - (2) the understanding of addictive disease;
 - (3) development of social support network and necessary lifestyle changes;

- (4) educational skills;
- (5) vocational skills leading to work activity by reducing substance abuse as a barrier to employment;
- (6) social and interpersonal skills;
- (7) improved family functioning;
- (8) the negative consequences of substance abuse; and
- (9) continued commitment to recovery and maintenance program.

Authority G.S. 122C-26; 143B-147.

10A NCAC 27G .4502 STAFF

- (a) The SACOT shall be under the direction of a Certified Clinical Addictions Specialist or a Certified Clinical Supervisor who is on site a minimum of 90% of the hours the program is in operation.
- (b) For each SACOT there shall be at least one direct care-staff who meets the requirements of a Qualified Professional as set forth in 10A NCAC 27G .0104(18) for every 10 or fewer clients.
- (c) Each SACOT shall have at least one direct care staff present in the program who is trained in the following areas:
 - (1) alcohol and other drug withdrawal symptoms; and
 - (2) symptoms of secondary complications due to alcoholism and drug addiction.
- (e) Each direct care staff shall receive continuing education that includes the following:
 - (1) understanding of the nature of addiction;
 - (2) the withdrawal syndrome;
 - (3) group therapy;
 - (4) family therapy;
 - (5) relapse prevention; and
 - (6) other treatment methodologies.

Authority G.S. 122C-26; 143B-147.

10A NCAC 27G .4503 OPERATIONS

- (a) A SACOT shall operate in a setting separate from the client's residence.
- (b) Each SACOT shall provide services a minimum of 20 hours per week.
- (c) Each SACOT shall operate at least four hours per day, at least five days per week with a maximum of two days between offered services.
- (d) Each SACOT shall provide a structured program of services in the amounts, frequencies and intensities specified in each client's treatment plan.
- (e) Group counseling shall be provided each day program services are offered.
- (f) Crisis services shall be available by telephone 24 hours a day, seven days a week when the treatment program is not in session.
- (g) Psychiatric consultation shall be available as needed.
- (h) Before discharge, the program shall complete a discharge plan and refer each client who has completed services to the level of treatment or rehabilitation as specified in the treatment plan.

Authority G.S. 122C-26; 143B-147.